

Proposed Titles:

"Tipping Point: The Superfund Option"

"Fishing The Volcano: A Mining Town's Struggle for Aquatic Life"

Log Line:

"A historic Colorado mining community considers the previously unwanted Superfund option for cleaning up toxic mine pollution to restore aquatic habitat downstream."

Using the guide, "Character + Problem = Story":

Character:

Aquatic habitat in San Juan and La Plata Counties in southwest Colorado

Plus problem:

Worsened water quality, disappearing fish species, and mounting pressure for comprehensive solutions.

Equals story:

Hard community choices where one option may result in real water treatment solutions, yet, may be unpopular and have unintended negative consequences.

A volunteer stakeholder group has a 20-year success record of on-the-ground investigation and characterization of the 100-year old problem of inactive and abandoned mines that leak toxic metals and acids into southwest Colorado's Animas River, with many successful remediation projects at waste rock and tailings pollution. As of the spring of 2014, however, no cost effective solution for water treatment at draining mines has been agreed upon, though, the group is actively performing a global search for a potential solution. Still, as water quality has worsened and species of fish have disappeared due to unintended consequences of a failed consent decree solution, San Juan County, Colorado is once again faced with considering a Superfund option. Some say this would hurt tourism and discourage future mining operations in the county.

Is time running out? Does a decision on treatment solutions need to be made in 2014? Has a "tipping point" been reached, as the community that fought against Superfund designation in 2011, may be forced to engage in this federal action for improving aquatic habitat downstream? These are some of the questions and issues I want to report on.

This film will:

1. Provide background on the study of the Upper Animas Basin, and the formation of the Animas River Stakeholders Group in Silverton, CO.
2. Describe the liability issue at draining mines vs. piles of mine waste.
3. Describe the agreement that eventually resulted in new toxic drainage, the unintended consequence.

4. Identify the condition of lower water quality in Cement Creek, relative to the plugging of the American Tunnel, and new drainage at Red & Bonita, Gold King and Mogul mines.
5. Identify the CERCLA/Superfund program, its goals, solutions and provisions (potentially responsible parties, cost recovery, community involvement, etc.)
6. Identify water treatment options that San Juan County, CO faces, including experimental methods, partial treatment options, and Superfund options.
7. Follow the community vetting process and decision-making process.
8. Examples from other Superfund sites will be discussed to show how other communities faced this decision, and how residents, watershed groups, county officials and regulators feel about it now, after Superfund actions.

WHO would want to listen?

County governments and residents, state governments, watershed groups, conservation groups, mining companies, etc. who have draining abandoned mines that degrade water quality and reduce aquatic habitat, with no Potentially Responsible Party (PRP), and inadequate funding to build and operate water treatment facilities in perpetuity at historic mining districts.

WHY would they be interested?

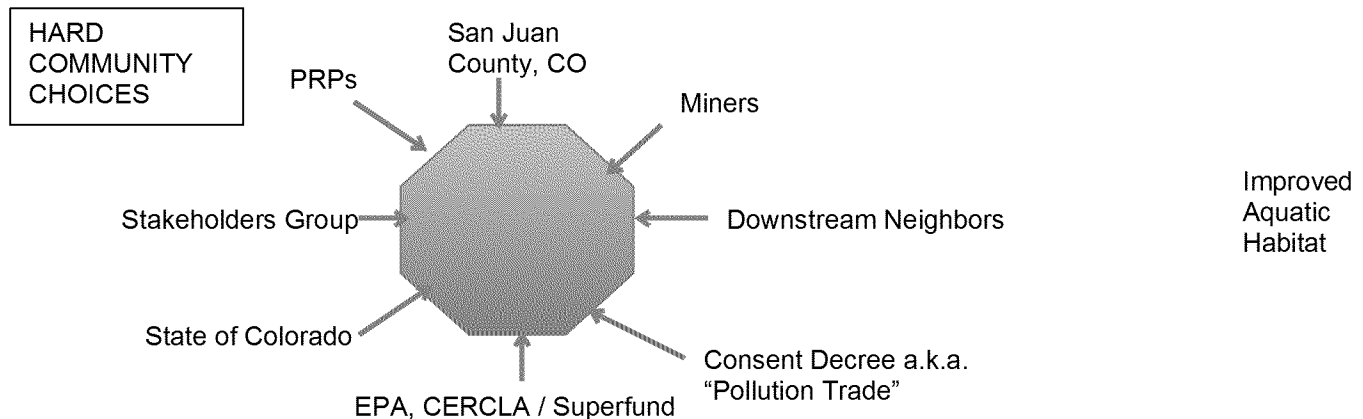
As San Juan County, CO goes, so goes the next county desperate for solutions where draining, abandoned mines with no PRPs are lowering water quality and destroying aquatic habitat. (Good Samaritan legislation has not yet been passed.)

Interview lists would include, and would not be limited to, the following people or entities:

- San Juan County Commissioners
- La Plata County Commissioners
- Larry Perino, reclamation manager for Sunnyside Gold Corp.
- Steve Way, EPA Region 8 in Denver
- Bruce Stover, Colorado Division of Reclamation, Mining & Safety
- Kay Zillich, BLM in Durango
- Peter Butler, Animas River Stakeholders Group
- Steve Fearn, Colorado Goldfields
- Todd Hennis, landowner and mining operations
- Zeke Ward, Willow Creek Reclamation Committee in Creede
- Elizabeth Russell, Trout Unlimited
- Lake City residents, former miners, watershed group, county, regulators
- Leadville residents, former miners, watershed group, county, regulators
- Summitville former miners, watershed group, county, regulators
- Ouray residents, former miners, watershed group, county, regulators
- Telluride residents, former miners, watershed group, county, regulators
- Clear Creek residents, former miners, watershed group, county, regulators

STORY: Hard community choices for improving aquatic habitat are caught in the crossfire of:

- Miners who don't want Superfund to deter chances for future mining.
- Potentially Responsible Parties (PRPs) who could potentially be sued if Superfund is engaged.
- Neighboring downstream constituencies who are concerned about disappearing fish species as a result of worsening water quality.
- A volunteer group who has no funding to build and operate a treatment facility, but is soliciting potential solutions from the global community.
- A mining company engaged in a consent decree that some call a "pollution trading" deal that may shift the liability for mine drainage they could potentially be responsible for.
- A State that is hamstrung by a consent decree that has the unintended negative consequence of reduced water quality and a reduction of fish species downstream.
- And the EPA, who is ready to initiate a process for a long-term solution in 2014, but that solution is labeled Superfund, and that has an unfavorable to luke-warm reception in the community, as of March 2014.



RESTATING THE PROBLEM:

What will the residents decide to do for reducing dissolved metals and acids in the streambed that have degraded aquatic habitat and killed fish species downstream? Will the Commissioners and Governor respond? Commissioners have said they cannot wait (it is an election year for one Commissioner).

Thanks for your feedback. I have moved to Silverton in March. I will be staying through October, possibly through next winter, so I can focus on this project.

Tom Schillaci, Producer